



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,964	09/26/2005	Junbiao Zhang	PU030103	6118

24498 7590 08/21/2007
JOSEPH J. LAKS, VICE PRESIDENT
THOMSON LICENSING LLC
PATENT OPERATIONS
PO BOX 5312
PRINCETON, NJ 08543-5312

EXAMINER

MITCHELL, NATHAN A

ART UNIT	PAPER NUMBER
----------	--------------

2609

MAIL DATE	DELIVERY MODE
-----------	---------------

08/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,964

Applicant(s)

ZHANG ET AL.

Examiner

Nathan Mitchell

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8 and 10-11 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/26/2005.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 9/26/2005 listed an incorrect publication number for the Crosbie reference. The correct number was listed on the search report. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The abstract of the disclosure is objected to because "disclosed" is improper language. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 12-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. For claims 12 and 13 respectively it is suggested to replace "containing" and "comprising" with one of --storing--, --encoded with--, --having stored-- or --having encoded--.

Claim Objections

5. Claims 3, 9, 13 and 14 objected to because of the following informalities:
 - a. In claim 3 line 4, "entires" should be changed to --entries--.
 - b. In claim 9 line 3, "prévoiusly" should be changed to --previously--.
 - c. In claim 13 line 4 and claim 14 lines 3-4 refers to "the wireless station". If this is referring to the "wireless client" as in claim 13 line 3, both instances should be changed to --the wireless client--.

Art Unit: 2609

- d. In claim 14 line 3 "nad" should be changed to --and--.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-3, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US. Patent Application Publication No. 2002/0191572 A1 to Weinstein et al. in view of U.S. Patent Application Publication No. 2003/0115460 A1 to Arai.

For claims 1 and 3, Weinstein et al. disclose a system (fig. 3A) for enabling roaming (abstract line 5 mobility) of wireless clients (paragraph 19 line 2 “mobile subscriber”) among wireless access points (fig. 3A 300-x “AIR ACCESS POINT”) comprising a gateway (fig. 3A 341) a wired network (see fig. 3A network is wired) which comprises access points, the gateway having means to (a) receive session data requests from access points (fig. 7 “A(UID,Krc” see paragraph 95 lines 6-7; this message can be considered a session data request since it initiates the acquisition of session data), the session data including a session key associated with each wireless client and an associated access point (paragraph 95 line 37, the fifth codeword can be considered to be a session key associated with both the wireless access point and the mobile), (b) look up session data (fig. 7 details the manner in which session data is looked up) and (c) send session data back to the requesting access points (fig. 7 all responses from the virtual operator server to NAS/RC), the access points having means to send requests for session data from the gateway (fig. 7 this is inherent given that it sends requests).

For claims 1 and 3, Weinstein et al. disclose all the claimed subject matter of the invention with the exception of the means to receive session information setting commands from the gateway as recited in claim 1 and the gateway having means to remove session information after a wireless client becomes disassociated with an access point comprising sending a command to the access point to remove the session information **and/or** to remove idle wireless client entries after a predetermined period of inactivity as recited in claim 3. In a related field of endeavor, Arai teaches a gateway (authentication server) instructing an access point to delete session information (a WEP key) (paragraph 60 access point inherently has receiving means). Inherent with the instructing is means for sending commands and means for receiving

Art Unit: 2609

commands. It would have been obvious to one of ordinary skill in the art at the time of invention to include the means to receive session information setting commands from the gateway in the access point and to include means for removing session information by sending a command to the access point. One skilled in the art could easily modify the access points of Weinstein et al. to receive such commands and the gateway to send such commands. The motivation for making the change is to facilitate management of roaming data.

Regarding claim 2, Weinstein et al. further teach the access point having means to main a session key per associated client (paragraph 88 lines 7-10).

For claim 13, Weinstein et al. as modified by Arai. Disclose all subject matter performed through the instruction. All subject matter of the claimed invention has been previously detailed with the exception of the wireless client sending an association request (fig. 7 UID), loading session data (fig. 7 A(UID,S1, E(s1,KMU), KRC)).KRC) and A(UID, S1, E(E(S1,KMU),Krc),Pkmu).Krc)), and sending the session data to the wireless client (fig. 7 UID, EP((E(S2,KMY),SK),Pkmu)). It is well known in the art that these types of procedures are implemented in computer program form on communications components (see Weinstein et al. paragraph 38). Thus the claimed program would have been obvious to one of ordinary skill in the art at the time of invention given the procedure taught by Weinstein et al. as modified by Arai. The motivation for computer implementing it is flexibility.

Claim 15 is rejected for the same reason as claim 3.

10. Claims 4-5 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein et al. in view of Arai as applied to claim 1 and 13 above, and further in view of U.S. Patent Application Publication No. 2002/0046179 A1 to Kokudo.

Art Unit: 2609

Regarding claims 4 and 5, Weinstein et al. teach traffic between the mobile and the access point being encrypted (paragraph 89). It is not clear that this extends to traffic between the access point and gateway. However Kokudo does teach encryption being using in communication between between an access point and a gateway (paragraph 32 lines 5-6 “encrypted gateway” implies communications between access point and gateway are encrypted). Thus it would have been obvious to one of ordinary skill in the art at the time of invention to encrypt transmissions between the access point and gateway. The motivation for doing this is to secure communications.

Claims 16 and 17 are rejected for the same reasons as claim 4 and 5.

Allowable Subject Matter

11. Claims 6-8 and 10-11 are allowed. The prior art fails to teach reporting session data failure if no session data is found.
12. Claim 9 would be for the same reason as claims 6-8 and 10-11 if the claim objection is overcome.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

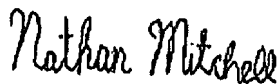
Document Number Country Code- Number-Kind Code	Date MM- YYYY	Name	Classification
US-2001/0005883 A1	06-2001	Wray et al.	713/151
US-2002/0136226 A1	09-2002	Christoffel et al.	370/401
US-2003/0112977 A1	06-2003	Ray et al.	380/270
US-2004/0181663 A1	09-2004	Pienimaki et al.	713/155
US-2005/0059396 A1	03-2005	Chuah et al.	455/435.1
US-2005/0113070 A1	05-2005	Okabe, Toshiya	455/411
US-2005/0177733 A1	08-2005	Stadelmann et al.	713/185

Art Unit: 2609

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Mitchell whose telephone number is (571)270-3117. The examiner can normally be reached on Monday through Friday 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dang Ton can be reached on (571)272-3171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Nathan Mitchell/nam



DANG T. TON
SUPERVISORY PATENT EXAMINER